

1-1 By: Hughes S.B. No. 10
 1-2 (In the Senate - Filed October 4, 2021; October 4, 2021,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 October 4, 2021, reported favorably by the following vote: Yeas 6,
 1-5 Nays 2; October 4, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hughes	X			
1-8 Birdwell	X			
1-9 Campbell	X			
1-10 Hall			X	
1-11 Lucio	X			
1-12 Nelson	X			
1-13 Powell		X		
1-14 Schwertner	X			
1-15 Zaffirini		X		

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to increasing the criminal penalty for committing certain
 1-20 offenses relating to elections.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 64.012(b), Election Code, as effective
 1-23 December 2, 2021, is amended to read as follows:

1-24 (b) An offense under this section is a felony of the second
 1-25 degree unless the person is convicted of an attempt. In that case,
 1-26 the offense is a state jail felony [Class A misdemeanor].

1-27 SECTION 2. Section 276.013(b), Election Code, as effective
 1-28 December 2, 2021, is amended to read as follows:

1-29 (b) An offense under this section is a Class A misdemeanor,
 1-30 unless[+]

1-31 [~~(1)~~] the person committed the offense while acting in
 1-32 the person's capacity as an elected official, in which case the
 1-33 offense is a state jail felony[~~, or~~

1-34 [~~(2) the person is convicted of an attempt, in which~~
 1-35 ~~case the offense is a Class B misdemeanor].~~

1-36 SECTION 3. The changes in law made by this Act apply only to
 1-37 an offense committed on or after the effective date of this Act. An
 1-38 offense committed before the effective date of this Act is governed
 1-39 by the law in effect on the date the offense was committed, and the
 1-40 former law is continued in effect for that purpose. For purposes of
 1-41 this section, an offense was committed before the effective date of
 1-42 this Act if any element of the offense occurred before that date.

1-43 SECTION 4. This Act takes effect on the 91st day after the
 1-44 last day of the legislative session.

1-45 * * * * *